

**CHAPTER NO. 565**

**HOUSE BILL NO. 3516**

**By Representatives McMillan, John DeBerry, Brenda Turner**

**Substituted for: Senate Bill No. 3386**

**By Senators Crutchfield, Kurita**

AN ACT to amend Tennessee Code Annotated, Title 33, relative to persons with developmental disabilities, mental illness, mental retardation, serious emotional disturbance, and services and supports in connection with developmental disabilities, mental illness, mental retardation, and serious emotional disturbance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-2-411, is amended by deleting the words "licensed surveyor" and substituting the words "licensure surveyor".

SECTION 2. Tennessee Code Annotated, Section 33-3-102(b), is amended by adding the words "caregiver under title 34, chapter six, part 3," after the words "guardian ad litem," and before the words "or to be acting under a durable power of attorney".

SECTION 3. Tennessee Code Annotated, Section 33-3-104, is amended by inserting the following as a new, appropriately designated subdivision:

( ) The caregiver under title 34, chapter 6, part 3.

SECTION 4. Tennessee Code Annotated, Section 33-6-201, is amended by inserting the following as a new, appropriately designated subdivision:

( ) A caregiver under title 34, chapter 6, part 3, who is acting on behalf of a child.

SECTION 5. Tennessee Code Annotated, Section 33-6-206(a), is amended by inserting the following as a new, appropriately designated subdivision:

( ) A caregiver under title 34, chapter 6, part 3, who is acting on behalf of a child.

SECTION 6 Tennessee Code Annotated, Section 33-3-402(a), is amended by deleting the words "licensed clinical psychologist" from the first sentence and substituting the words "licensed psychologist with health service provider designation".

SECTION 7. Tennessee Code Annotated, Section 33-3-408(a), is amended by deleting the words "licensed clinical psychologist" from the last sentence and substituting the words "licensed psychologist with health service provider designation".

SECTION 8. Tennessee Code Annotated, Sections 33-6-503(2) and 33-6-504, are amended by deleting the word "clinical".

SECTION 9. Tennessee Code Annotated, Section 33-6-107, is amended by deleting the word "medication" wherever it appears and substituting in its place the words "mental health treatment".

SECTION 10. Tennessee Code Annotated, Section 33-2-602, is amended by deleting the last sentence and substituting the following:

The procedure must include the means to resolve a conflict informally and expeditiously in conformity with the department's rules. A licensee may not cease to provide services and supports to a service recipient with a developmental disability during the pendency of the conflict resolution over the objection of the service recipient.

SECTION 11. Tennessee Code Annotated, Section 33-2-1201(a), is amended by deleting the words "or developmental disabilities shall" and substituting ", serious emotional disturbance, or developmental disabilities shall".

SECTION 12. This act shall take effect on July 1, 2004, the public welfare requiring it.

**PASSED: April 12, 2004**



JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES



JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 22<sup>nd</sup> day of April 2004**



PHIL BREDESEN, GOVERNOR